

AMENDMENTS TO THE CLAIMS:

Claims 1-11 (Cancelled)

12. (Previously Presented) An overflow assembly for a bathtub, comprising:
- an overflow pipe having a flange and a sleeve that extends outwardly from the flange for receiving an inner end of a hollow fitting having an outer end and threads on an outer surface;
- a nut having a threaded center opening threadably mounted on the fitting to exert pressure towards the flange; and
- the nut having an outer periphery with a series of radially extending lugs which frictionally detachably engage an inner surface of a flange on a cap which fits over the nut, wherein the cap is selectively positioned on the nut to direct an overflow of water to the overflow pipe.

Claims 13 and 14 (Cancelled)

15. (Previously Presented) The assembly of claim 12 wherein the flange of the cap has a notch that is selectively positioned to direct the overflow of water into the overflow pipe.
16. (Previously Presented) The assembly of claim 15 wherein the notch is moved to at least a six o'clock position when the cap is mounted to the nut for directing the overflow of water into the overflow pipe.
17. (Previously Presented) The assembly of claim 12, wherein the overflow pipe has a first end and a second end wherein the flange is positioned therebetween, and wherein the second end is spaced from the flange such that the second end is adapted to be positioned at least partially within the bathtub.
18. (Previously Presented) The assembly of claim 12 wherein the hollow fitting includes a closure member selectively interconnected to an end thereof.

19. (Previously Presented) The assembly of claim 17, wherein the closure member is a diaphragm.

20. (Previously Presented) An overflow system for incorporation into a bathtub, comprising:

an overflow conduit having a first end and a second end with a flange positioned therebetween, the second end being spaced from the flange wherein the second end is adapted to be positioned at least partially within the bathtub; and

a fastening member positioned coaxially to an axis defined by the center of the second end and perpendicular to the plane bounded by the edge of the second end such that the fastening member cooperates with the flange to secure the overflow conduit to the bathtub, wherein the fastening member includes an outer periphery with at least one protrusion extending therefrom for frictionally detachably engagement with an inner surface of a flange on a cap that fits over the fastening member, and wherein the cap is selectively positioned on the fastening member to direct an overflow of water to the overflow conduit.

21. (Previously Presented) The system of claim 20 wherein the at least one protrusion is a radially extending lug.

22. (Previously Presented) The system of claim 20 wherein the second end and the fastening member are threaded.

23. (Currently Amended) The system of claim 20 wherein the second end of the overflow conduit is associated with a selectively removable closure member device.

24. (Previously Presented) The assembly of claim 23, wherein the closure device is a diaphragm.

25. (Previously Presented) The assembly of claim 23 wherein the closure device is at least one of fused, hermetically sealed, and rigidly attached.

26. (Currently Amended) An overflow assembly ~~for~~ adapted to be used in conjunction with a bathtub, comprising:

a duct with a non-continuous outer surface having a first end and a second end, the second end extending away from a protrusion that extends from the duct ~~protruded portion of the duct~~;

a fitting for interconnection to the second end of the duct; and

a means for fastening interconnected to the fitting and in compressive relationship with the ~~protruded portion~~ protrusion of the duct with the bathtub therebetween, wherein the means for fastening includes an outer periphery with at least one protrusion extending therefrom for frictionally detachably engagement with an inner surface of a flange on a cap that fits over the means for fastening and wherein the cap is selectively positionable on the means for fastening to allow overflow water to enter the duct.

27. (Previously Presented) The assembly of claim 26 wherein the at least one protrusion is a radially extending lug.

28. (Previously Presented) The assembly of claim 26 wherein the compressive relationship comprises a tight engagement between the protruded portion of the duct and the means for fastening.

29. (Previously Presented) The assembly of claim 26 wherein the fitting includes threads positioned on an outer diameter thereof for engagement with threads positioned on an inner diameter of the means for fastening.

30. (Currently Amended) The assembly of claim 26, wherein the protrusion of the duct ~~protruded portion~~ is a flange positioned between the first end and the second end of the duct, the

second end being spaced from the flange wherein the second end is adapted to be positioned at least partially within the bathtub.

31. (Previously Presented) The assembly of claim 26 wherein the fitting includes a closure member selectively interconnected to an end thereof.

32. (Previously Presented) The assembly of claim 31, wherein the closure member is a diaphragm.

33. (Previously Presented) An overflow system for incorporation into a bathtub, comprising:

an overflow pipe having a first end for interconnection to a pipe and a threaded second end with a flange positioned therebetween;

a nut threadably mounted on the second end to exert pressure towards the flange, the nut having an outer periphery with at least one radially extending lug that frictionally detachably engage an inner surface of a flange on a cap which fits over the nut and wherein the cap is selectively positioned on the nut to direct an overflow of water to the overflow pipe.

34. (Previously Presented) The assembly of claim 33 wherein the flange of the cap has a notch that is selectively positionable to direct the overflow of water into the overflow pipe.

35. (Previously Presented) The assembly of claim 33 wherein the notch is moved to at least a six o'clock position when the cap is mounted to the nut for directing the overflow of water into the overflow pipe.

36. (Previously Presented) The assembly of claim 33, wherein the second end is spaced from the flange such that it is adapted to be positioned at least partially within the bathtub.

37. (Previously Presented) The assembly of claim 33 further including a closure member operatively associated with the second end.

38. (Previously Presented) The assembly of claim 37, wherein the closure member is a diaphragm.

39. (Previously Presented) The assembly of claim 38 wherein the closure device is at least one of fused, hermetically sealed, and rigidly attached.